



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION 4
ATLANTA FEDERAL CENTER
61 FORSYTH STREET
ATLANTA, GEORGIA 30303-8960

August 12, 2009

Ms. Alisa Zarbo
U.S. Army Corps of Engineers
Jacksonville District
Regulatory Division
Palm Beach Gardens Regulatory Office
4400 PGA Boulevard / Suite 500
Palm Beach Gardens, FL 33410

Subject: EPA Review of the COE's "C-111 Spreader Canal Western Project Final Project Implementation Report and Environmental Impact Statement"; Everglades and Florida Bay; CEQ# 20090243; ERP# COE-E39078-FL

Dear Ms. Zarbo:

Pursuant to Section 102(2)(C) of the National Environmental Policy Act (NEPA) and Section 309 of the Clean Air Act, the U.S. Environmental Protection Agency (EPA) has reviewed the U.S. Army Corps of Engineers' (COE) Final Environmental Impact Statement (FEIS) for the subject C-111 Spreader Canal (C-111 SC) Western Project. This Comprehensive Everglades Restoration Plan (CERP) project sponsored by the South Florida Water Management District (SFWMD) has changed from its original Restudy design and was divided into a Western and Eastern Project. The present Western Project primarily addresses changes in western flows through Taylor Slough to restore wetlands and to moderate/stabilize salinities in Florida Bay. The prospective Eastern Project is to cover the remaining project area and ultimately include the backfilling of the C-111 Canal. EPA has previously provided comments on the Draft EIS (DEIS) in a letter dated June 8, 2009.

As was the case with the DEIS, EPA has concurrently received a copy of the Final Environmental Assessment (FEA) on the "C-111 Spreader Canal Design Test", which will serve as a pilot study for the design of the Eastern Project. The Spreader Canal feature will not be implemented under the current C-111 SC Western Project but is expected to be a major component of the overall project. We continue to support such pilot studies and will defer to the COE on this demonstration without formal comment. However, we assume that the FEA is consistent with the objectives of the present FEIS and improves water quantity and quality in the project area.

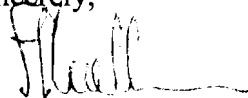
We appreciate the COE's responses to our comments on the DEIS. These responses are found on page B-105 of Annex B in Volume 3, and a copy of our letter was provided on page B-57. We have concentrated our FEIS review on those responses. We offer the following final comments in support of the C-111 SC Western Project:

- o EPA-1 (Water Quality) – We appreciate the water quality improvements to Section 7.8.2 and in the discussion of Alternative 2DShort regarding the expected water quality improvements due to the project. However, it is unclear why the ‘EPA-1’ response states that “...the project is not targeting water quality improvement...”, given that a major component of CERP is the water quality improvement of the Everglades – not just water quantity improvements (rehydration) – in the overall restoration of the Everglades. All CERP projects should therefore have a water quality component or that benefits water quality at some capacity.
- o EPA-3 (Monitoring Plan) – We find the Project Monitoring Plan in the FEIS to be responsive to our comments on the DEIS.
- o EPA-4 (Environmental Justice: EJ) – We are pleased to understand from this response that no public EJ issues were raised at a recent public meeting or determined. We note from Section 5.6.4.2 that a stakeholders meeting took place in 2003. However, we also note that Section 5.6.4.2 in the DEIS was not modified in the FEIS. It is therefore unclear if these stakeholders included or represented potentially affected EJ groups (what public outreach was used to assemble stakeholders?), and if conditions have changed since 2003.
- o EPA-6 (Invasive Species) – Although reduction and control of invasive species in the project areas to be rehydrated is not required, it would benefit the overall CERP goal of Everglades restoration. Such restoration should emphasize native wetland species as opposed to invasives.
- o EPA-7 (Cumulative Effects) – The *Cumulative Effects* section (7.25: pg. 7-32) is much improved due to its disclosure of related CERP projects that indirectly affect the C-111 SC Western Project. Section 7.25.2 would have benefitted by inclusion of the relative merits of the present Western Project versus the proposed Eastern Project.

In summary, EPA continues to support the C-111 SC Western Project. We believe that this project and its proposed Eastern Project counterpart should benefit the CERP recovery of the Everglades and Florida Bay. We therefore recommend that implementation be expedited.

We appreciate the opportunity to review the FEIS. Should you have questions regarding these comments, feel free to contact Chris Hoberg of my staff for NEPA issues (404-562-9619 or hoberg.chris@epa.gov) and Eric Hughes of the EPA Water Protection Division (located in the Jacksonville District office) for technical issues (904/232-2464 or hughes.eric@epa.gov).

Sincerely,



Heinz J. Mueller, Chief
NEPA Program Office